

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**March 9, 2006**

**DIVISION FOUR**

B183022      Los Angeles County, D.C.S.                      (Not for Publication)  
                 v.  
                 Kristina D.

The order is affirmed.

Curry, J.

We concur:    Epstein, P.J.  
                 Willhite, J.

**DIVISION FIVE**

B179712      People                                      (Not for Publication)  
                 v.  
                 Louis Buono

The enhancement pursuant to section 12022.7, subdivision (a) is reversed. The matter is remanded to the trial court for purposes of a limited retrial on the great bodily injury allegation. If the prosecution elects not to retry the great bodily injury allegation, or if it is found not true, defendant shall be awarded custody credits consistent with sections 2900.5, subdivision (a), and 4019, subdivisions (b) and (c). In all other respects, the judgment is affirmed.

Kriegler, J.

I concur:                                      Turner, P.J.  
I dissent and concur:                      Mosk, J. (Opinion)

DIVISION FIVE (Continued)

B179837      WM. Campbell, Inc.,                      (Not for Publication)  
                 v.  
                 Robert Campbell

Affirmed in part and reversed. The parties shall bear their own costs on appeal.

Kriegler, J.

We concur:   Turner, P.J.  
                 Armstrong, J.

B184099      People    (Not for Publication)  
                 v.  
                 Juan Guerrero

The judgment is affirmed.

Turner, P.J.

We concur:   Armstrong, J.  
                 Mosk, J.

B179411      People    (Not for Publication)  
                 v.  
                 Yerev Shabtay

The judgment is affirmed.

Turner, P.J.

We concur:   Mosk, J.  
                 Kriegler, J.

March 9, 2006 (Continued)

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B182295     Martinez v. Moreno  
B184713     Child Welfare Services v. Gabriella V.  
B185682     Child Welfare Services v. Maria E.

Argument waived, cause submitted.

B177927     Cascarano  
                 v.  
                 Carnesale

Merits:

Argued by Robert A. Bartosh and Greg W. Jones, by leave of court, for appellants and by Donald M. Adams for respondents. Cause submitted.

B185174     Child Welfare Services  
                 v.  
                 Deneane H.

Merits:

Argued by Joseph D. Allen for appellant and by Toni Lorien, Deputy County Counsel, for respondent. Appearance waived by counsel for minor. Cause submitted.

B181909     Marriage  
B182395     of  
                 Schmitt

Merits:

Argued by Frederick Schmitt, appellant, appearing in propria persona and by Gregory Thomas May for respondent. Cause submitted.

March 9, 2006 (Continued)

DIVISION SIX (Continued)

Court recessed at 10:00 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J., P. McGill, Chief Deputy Clerk and G. Bents, Senior Deputy Clerk.

Each of the following:

B175852	People v. Gleghorn
B179999	People v. Hernandez
B180781	People v. Hason
B181644	People v. Morgan
B181732	People v. Jefferson
B183715	People v. Hernandez
B184625	People v. Zuniga

Argument waived, cause submitted.

B175467	People v. Pineda
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Merits:

Argued by Laini M. Melnick for appellant and by Peggy B. Tarwater, Deputy Attorney General, for respondent via video conference. Cause submitted.

B176860	People v. Roberts
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Merits:

Argued by John L. Staley for appellant via video conference and by David A. Wildman, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B180468     People  
              v.  
              David V.

Merits:

Argued by Larry S. Dushkes for appellant and by Tasha Timbadia, Deputy Attorney General, for respondent via video conference. Cause submitted.

B183313     People  
              v.  
              Rodolfo S.

Merits:

Argued by Michael C. McMahon, Chief Deputy Public Defender, for appellant and by Rama R. Maline, Deputy Attorney General, for respondent via video conference. Cause submitted.

B185101     People  
              v.  
              Jose R.

Merits:

Argued by Gerald McC. Franklin, Senior Deputy District Attorney, for respondent. Appellant's counsel, Raimundo Montes De Oca, Deputy Public Defender, requested oral argument and failed to appear. Counsel was contacted by phone and indicated that he miscalendared the matter. Counsel did not request a continuance and submitted on the briefs. Cause submitted.

B181078     People  
              v.  
              Olson

Appearance:

David F. Glassman, Deputy Attorney General, appeared for respondent. No appearance by appellant's counsel who requested oral argument and has failed to appear. Submission deferred for one (1) week.

March 9, 2006 (Continued)

DIVISION SIX (Continued)

Court adjourned.

B181436     Marriage  
              v.  
              Petersen

Filed order denying petition for rehearing.

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B174379     People v. Martinez  
B174481     People v. Ivey  
B180282     People v. Mayo  
B180656     People v. Sesay  
B180688     People v. Sesay  
B180688     People v. Dewayne C.  
B180790     People v. Gonzalez  
B181646     People v. Casares  
B182359     People v. Michael S.  
B182926     People v. Rouzan  
B184097     People v. Brooks

Argument waived, cause submitted.

B179245     People  
              v.  
              Martinez

Merits:

Argued by Joanna McKim for appellant and by Viet Nguyen, Deputy Attorney General for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B180344     People  
              v.  
              Ayon

Merits:

Argued by Leslie VanAntwerp for appellant and by Tita Nguyen, Deputy Attorney General for respondent. Cause submitted.

Court recessed at 9:45 a.m.

Court reconvened at 10:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

B168869     Odening  
              v.  
              Evans

Merits:

Argued by Martin Jacobs for appellant and by Daniel Koes for respondents. Cause submitted.

B174135     Crouch  
              v.  
              Professional Demo

Merits:

Argued by Norman Pine for appellant and by Michael Gray for respondent. Cause submitted.

B176614     Hepburn  
              v.  
              Moriarty

Merits:

Argued by Angelia Hepburn appellant in propria persona and by Kevin Mooney for respondent. Cause submitted.

March 9, 2006 (Continued)

DIVISION SEVEN (Continued)

B182060     Watts  
              v.  
              Ferrellgas, L.P.

Merits:  
Argued by Paul White for appellant and by Mitchell Wagner for  
respondent. Cause submitted.

Court recessed at 11:52 a.m.

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Johnson, J., Zelon, J. and Eva McClintock, Deputy Clerk.

B177448     Davis et al.,  
              v.  
              Aslan et al.,

Merits:  
Argued by Robert Gerstein for appellant and by Julie Weber for  
respondents and by Kent Bridwell for cross-respondents. Cause submitted.

Woods, J. assumes the bench.

B177561     Infant & Nutritional Products  
              v.  
              State of California et al.,

Merits:  
Argued by Robert Clarkson for appellants and by John Venegas for  
respondents. Cause submitted.



DIVISION SEVEN (Continued)

B178152     Restadius  
              v.  
              U-Haul Co.

Merits:  
Argued by Suhair Ibrahim for appellant and by Sean McLoughlin for  
respondent. Cause submitted.

B179122     Parvizian  
              v.  
              Jewett

Merits:  
Neither party having appeared for oral argument, argument is waived and  
the cause is submitted.

B178413     Newman  
              v.  
              Locke

Merits:  
Argued by William Johnson for appellant and by Sean Higgins for  
respondent. Cause submitted.

Court adjourned at 3:50 p.m.

B180743     Oak Park Calabasas Condominium Assn.  
              v.  
              State Farm Fire and Casualty Co.

Filed order certifying opinion for publication.

March 9, 2006 (Continued)

## DIVISION SEVEN (Continued)

B179713      People      (Certified for Publication)  
v.  
Sylvester C., a Minor

The true finding in count 2 that appellant committed the offense of criminal threat against Hugo Mejia is modified to a finding he committed the offense of attempted criminal threat against that victim. In all other respects the order under review is affirmed.

Johnson, J.

We concur: Perluss, P.J.  
Zelon, J.

## DIVISION EIGHT

B181455 Reiner et al., (Not for Publication)  
v.  
Nasatir, Hirsch, Podberesky & Genego et al.,

The judgment is reversed. Appellants to recover their costs on appeal.

Rubin, Acting P.J.

We concur: Boland, J.  
Flier, J.